

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No.:2:09-CR-9-BO

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
BYRON J. DELOATCH,)
)
 Defendant.)

ORDER

This matter is before the Court on the defendant's motion to modify his probation [DE 159]. This motion is DENIED.

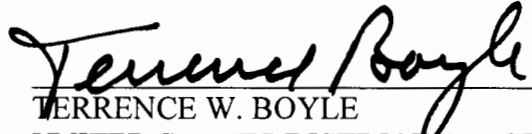
Pursuant to 18 U.S.C. § 3583(e), "[t]he court may . . . terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice . . ." In determining whether to terminate a term of supervised release under § 3583 the Court may look to the factors set forth in 18 U.S.C. § 3553(a).

Here, the Court considers the United States Probation Office's concerns about terminating the defendant's supervised release and finds that termination is not appropriate at this time. For these reasons, the defendant's motion to modify his probation is DENIED.

Accordingly, as there are no longer any motions for the Court's consideration, the defendant's motion to appoint counsel is likewise DENIED [DE 163].

SO ORDERED.

This the 7th day of July, 2013.



TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE